

Remarks:

Claims 1-44 remain for consideration in this application. It is believed that no issues should remain in this application as all of the claims pending in this application have previously been found to be allowable over the art by the examiner in two related applications (i.e., International Application No. PCT/US00/25985 and U.S. Patent Application No. 09/961,751). The correlation between the pending claims and the claims of the two related applications is discussed in detail herein.

First, claims 1-42 exactly match those which were found to be allowable over the prior art by the Examiner in the corresponding PCT application, International Application No. PCT/US00/25985. For the Examiner's convenience, the numbering of the current claims corresponds to those of the PCT application as follows:

Current Claim Number	PCT Claim Number
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	9
9	13
10	14

11	15
12	17
13	19
14	20
15	22
16	23
17	24
18	25
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21	33
22	36
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24	38
25	39
26	40
27	42
28	49
29	50
30	51
31	52
32	53
33	54
34	55

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35	56
36	57
37	58
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39	60
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41	62
42	63

These claims are allowable over the art for the reasons stated by the Examiner in the International Preliminary Examination Report dated January 23, 2002. Specifically, in Section 2 Citations and Explanations, the Examiner stated that:

Claims 1-7 (1-7), 9 (8), 13-15 (9-11), 17 (12), 19 (13), 20 (14), 22-25 (15-18), 28 (19), 29 (20), 33 (21), 36-40 (22-26), 42 (27), 49-63 (28-42) meet the criteria set out in PCT Article 33(2)-(4), because none of the cited prior arts teaches or fairly suggests the light attenuating compound of claim 1 (1) comprising the EDG moiety selected from the group consisting of H_3CO , OH , and $\text{R}_1\text{-O-}$. None of the cited prior arts teaches or fairly suggests the light attenuating compounds of claims 15 (11), 29 (20), 57 (36), 60 (39), wherein at least one of R_1 and R_2 is bonded to the polymer binder. None of the cited prior arts teaches or fairly suggests the light attenuating compound of claim 49 (28) having a structural formula selected from the group consisting of Formulas V-VIII. None of the cited prior arts teaches or fairly suggests the light attenuating compound of claim 55 (34) having the second EWG which is bonded to C_4 . None of the cited prior arts teaches or fairly suggests the light attenuating compound of claim 58 (37) wherein each of R_1 and R_2 is individually selected from the group consisting of cyclic alkyls and acyclic alkyls. None of the cited prior arts teaches or fairly suggests the light attenuating compound of claim 59 (38) or 61 (40). None of the cited prior arts teaches or fairly suggests the light attenuating compound of claim 62 (41) which comprises a moiety of the compound of Formula IX, and wherein the EWG of Formula IX is bonded to the polymer binder.


The claim numbers in parentheses were added by the applicant to the quote above so that the Examiner could readily identify the corresponding claims in the present case. In light of the foregoing, it is respectfully submitted that claims 1-42 are patentable over the art.

The only other claims are claims 43-44. These claims exactly correspond to claims 44 and 49, respectively, of the parent application, U.S. Patent Application No. 09/961,751, except that claims 43-44 have been amended to overcome the rejection under 35 U.S.C. § 112 raised by the Examiner in an action dated July 8, 2003. Specifically, claims 44 and 49 were found to be allowable

over the art, but the Examiner had raised a § 112 rejection in light of the use of the generic term "cross-linking agent." The Examiner stated that there was not support for this term, but that there was support for the limitation of a " glycouril-formaldehyde cross-linking agent." Presently pending claims 43-44 recite a glycouril-formaldehyde cross-linking agent rather than simply a cross-linking agent. Thus, it is believed that these claims are likewise patentable over the art, and that no § 112 issues remain.

In conclusion, it is respectfully submitted that these claims are in condition for allowance, and a Notice of Allowance is requested. Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

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